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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department - Formation of road in Lingamparthy Reserve Forest in Compt. No.587 from Konda Timmapuram to China Vanthada in Yeleswaram Mandal – Illegal transportation of Laterite – Violation of Forest Conservation Act, 1980 & A.P. Forest Act, 1967 – Common disciplinary proceedings initiated – Inquiry under Rule-20 of A.P. Civil Services (CC&A) Rules, 1991 against **Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram** – Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No.6 **Dated:03.01.2024.**

Read the following:

1)From the Director General, Vigilance & Enforcement Department, Vigilance Report No.55 (C.No.1678/V&E/NR-1/2016), dated 21.12.2018.
2)Memo.No.119/Sec.IV/A1/2019, EFS&T (Sec.IV) Department, dated 29.12.2023.

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ORDER:

It is proposed to hold an inquiry against Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram in accordance with the procedure laid down in Rule-20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram, is informed that under Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964, no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is

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received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines & Geology, Rajamahendravaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines and Geology, Rajamahendravaram through the Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District.

Copy to:
The Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District. (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)
SF/SC (Computer No.1455666)

//FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI D. VENKATA RAJU, THE THEN SUPERINTENDENT, O/O THE ASSISTANT DIRECTOR OF MINES AND GEOLOGY, RAJAMAHENDRAVARAM

That, Sri D. Venkata Raju, the then Superintendent, O/o the Assistant Director of Mines and Geology, Rajamahendravaram, the following irregularities have taken place in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

Charge-I:

Being in-Charge of the concerned subject, he failed to file the counter affidavit in the case filed by Sri P. Seshagiri Rao, GPA, representative of Smt. Kude Lakshmi on behalf of respondent No.4 i.e., Assistant Director, Mines & Geology Department, Rajahmundry favouring the mining lease holder to obtain interim orders by the Hon'ble High Court.

Charge-II:

Intentionally failed to put up note on the letter submitted by Sri P. Seshagiri Rao, which was endorsed by the Assistant Director of Mines & Geology on 22.09.2015 as "examine the irrevocable GPA" and also tampered the Note file and inserted the text regarding bringing GPA issue to the notice of the Assistant Director of Mines & Geology on 30.09.2015 in Page No.17 of the Note file after approval of the note.

Thus, Sri D. Venkata Raju, the then Superintendent, O/o Assistant Director of Mines and Geology, Rajamahendravaram by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI D. VENKATA RAJU, THE THEN SUPERINTENDENT, O/O THE ASSISTANT DIRECTOR OF MINES AND GEOLOGY, RAJAMAHENDRAVARAM

Sri D. Venkata Raju, the then Superintendent, O/o Assistant Director of Mines and Geology, Rajamahendravaram and the following irregularities have been taken place during his tenure in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

i) As per the instructions dt.06-05-2000 of the Director of Mines & Geology and MC Rules, 1960 and Covenant conditions 17 & 18 of the leased deed, it is clearly stipulate for not allowing GPA and Financial Support to Mining Lessee from others. But Sri P. Seshagiri Rao, GPA has filed affidavit on behalf of the lessee, Smt. Kude Lakshmi on 05.08.2015 which is against the rules and after 46 days i.e., on 21.09.2015 he has submitted copies of GPA and MoU to the Department.

Being incharge of the concerned subject, Sri D. Venkata Raju, Superintendent would have filed a counter affidavit on behalf of 4th respondent i.e., Assistant Director of Mines & Geology immediately to avoid the interim order by the Hon'ble High court in favour of the mining lease or would have been brought to the notice of the Hon'ble High Court through the Government Pleader regarding GPA which is against the rules.

ii) The letter enclosing the copies of GPA & MOU were received by the Assistant Director of Mines & Geology on 22.09.2015 and the same were endorsed to the Superintendent for examining the irrevocable GPA. Instead of examining the issue, the Superintendent has tampered the Note file and inserted the text on the above issue bringing it to the notice of the Assistant Director of Mines & Geology on 30.09.2015 which is misleading. The then Assistant Director of Mines & Geology on examination clearly clarified that he had not seen the last lines pertaining to GPA while approving the Note and the same was inserted at a later date by tampering the records.

Thus, the Government Servant by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

SECTION OFFICER

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI D.VENKATA RAJU, THE THEN SUPERINTENDENT, O/O THE ASSISTANT DIRECTOR OF MINES AND GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Vigilance Report No.55(C.No.1678/V&E/NRI/2016), dated 21.12.2018.
2) G.O.Ms.No.147, Industries & Commerce Department, dated 23.11.2013.
3) Page No.17 of Note File dated 30.09.2015.
4) Office Order No.2954/E/2015.
5) Letter, dated 06.08.2015 from the Government Pleader of Industries & Commerce Department on 10.08.2015.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI D. VENKATA RAJU, THE THEN SUPERINTENDENT, O/O THE ASSISTANT DIRECTOR OF MINES AND GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Sri Lingaraj Banakar, Complainant, Pragathi Samaj, Dalakasoti Village.
2) Officials of the Vigilance and Enforcement Department.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

SECTION OFFICER